

FILED
03/15/2024
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Bankruptcy No. 20-23552
ALFONSAO AMELIO	:	Chapter 13
Debtor	:	
	:	
JOHN MARSHALL, <i>pro se</i>	:	
Movant	:	
	:	
v.	:	
ALFONSO AMELIO, and	:	
RONDA J. WINNECOUR, Trustee	:	
Respondent	:	

MOTION TO REOPEN BANKRUPTCY PURSUANT TO 11 U.S.C. § 350 (b)

AND NOW, comes John Marshall, *pro se*, as Assignee of Jeanne Omler (the “Claimant”) and filed this Motion to Reopen Bankruptcy Pursuant to 11 U.S.C. § 350 (b), representing as follows:

THE PARTIES

1. Jeanne Omler (“Omler”) is an individual formerly of West Chester, OH and currently residing in Clearwater, FL.
2. John Marshall is an individual residing in Richmond, VA.
3. Respondent Alfonso Amelio filed for bankruptcy protection pursuant to Chapter 13 of the Bankruptcy Code on 12/31/20.
4. Ronda J. Winnecour is the duly appointed Chapter 13 Trustee (“Trustee”) and is currently acting in that capacity.

JURISDICTION AND VENUE

5. This matter is a core proceeding, and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. §§ 347 and 350 and 28 U.S.C. § 2041, et seq.

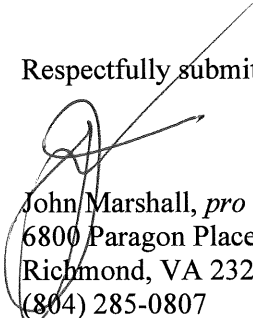
FACTUAL BACKGROUND

6. Claimant was a scheduled priority creditor, in the amount of **\$51,970.67** (the “Claim”).
7. At the time of the case filing, Omler was the owner of the Claim.

8. The Trustee issued a dividend in the net amount of **\$4922.78** against the Claim, which dividend was never received by Omler, for reasons unknown but presumably because of the address change, which Omler had not notified the Court or Trustee of.
9. On 12/21/23, the Trustee filed with the Clerk, U.S. Bankruptcy Court (the "Clerk") a Transmittal of Unclaimed Funds as to the above dividend.
10. On 2/27/24 Omler sold and assigned all rights in her Claim and the corresponding Unclaimed Funds to the Claimant.
11. The Unclaimed Funds are still held by the Clerk.
12. Pursuant to 11 U.S.C. § 350 (b), Claimant requests that this Honorable Court reopen the present bankruptcy so that the Court may rule upon a Motion for Order directing Payment of Funds to Claimant that will be concurrently filed with this Motion. Section 350 (b) states that "[a] case may be reopened in the court in which such case was closed to administer assets, to accord relief to the debtor, or for other cause."

WHEREFORE, Claimant John Marshall, *pro se*, as Assignee of Jeanne Omler, respectfully requests that this Honorable Court reopen the present bankruptcy and grant the Claimant's Motion for Order Directing Payment of Funds to Claimant.

Respectfully submitted;


John Marshall, *pro se*
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Dated: 3/12/24

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA (Pittsburgh)**

In re: **Alfonso Amelio**

Case # **20-23552**

Debtor

Chapter **13**

CERTIFICATE OF SERVICE

Notice is hereby given to the Court that on 3/14/24 the following parties were served, via first class mail, of the intent of **John Marshall, pro se**, as **Assignee of Jeanne Omler** ("Claimant"), whose mailing address is **6800 Paragon Place, Suite 202, Richmond, VA 23230-1656**, to seek an Order for a Motion to Reopen this Bankruptcy Case:

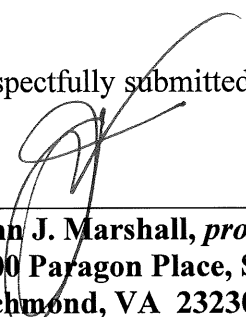
**United States Attorney's Office
Western District of Pennsylvania
Joseph F. Weis, Jr. US Courthouse
700 Grant Street, Suite 4000
Pittsburgh, PA 15219**

**Office of the United States Trustee
1000 Liberty Ave, Suite 1316
Pittsburgh, PA 15222**

**Case Trustee:
Ronda J. Winnecour
Suite 3250, USX Tower
600 Grant Street
Pittsburgh, PA 15219**

**Assignor:
Jeanne Omlor
30190 US Hwy 19N #1144
Clearwater, FL 33761
Phone 513-568-8770**

Respectfully submitted:



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